# Our 2021 and 2023 reporting to the Commission for Gender Equality in the Public Sector (abridged version)

Under the *Gender Equality Act 2020* (Vic), we have legislative obligations to report on our gender equality progress to the [Commission for Gender Equality in the Public Sector.](https://www.genderequalitycommission.vic.gov.au/) This also includes reporting on progress made in our Gender Equality Action Plan (GEAP).

We have received confirmation that we are compliant and have made some progress across the seven-gender equality indicators within the reporting period for 2021 to 2023.

This document is an abridged summary of key areas in the submission.

# Gender impact assessments

Gender impact assessments (GIAs) are designed to help organisations think critically about how policies, programs and services will meet the different needs of women, men and gender diverse people.

During the reporting period, we completed three gender impact assessments, including making and implementing recommendations.

### Help Before Court service

#### Recommendations

1. Share and make readily available pre-existing resources in the Help Before Court Best Practice Guide such as the Best Practice Framework for Specialist Family Violence Court and trauma-informed lawyering intranet page.
2. Introduce a new legal aid guideline to support women (including trans gender women) and gender diverse people pleading not guilty to criminal charges where they have been misidentified as a perpetrator of family violence.
3. Make the quick exit button available when using the intake tool to apply for Help Before Court.
4. User testing of new intake tool with Shared Experience and Support (SEAS) and Women with Disabilities.
5. Include people who have experienced family violence or recent trauma in the definition of a priority client under the guidelines.
6. Record best contact times via Legal Aid Services Online (LASO), as will the new intake tool.
7. Develop lived experience user testing plan for the new intake tool.
8. Include in duty lawyer and Help Before Court guidelines a minimum service guarantee for Aboriginal and/or Torres Strait Islander help seekers.
9. Introduce a new legal aid guideline to support Aboriginal and/or Torres Strait Islander clients who seek to plead not guilty to charges.

Actions underway

1. Monitor staff completion of relevant components in the Client Safety Training framework for the Help Before Court intake team.
2. Develop further training to support frontline workers in identifying and assisting clients who have been misidentified and charged with a crime.
3. Explore opportunities to collaborate with the Family Violence program to increase awareness and resources around the misidentification of women and gender diverse people, especially those from marginalised groups, who have been misidentified as the perpetrator of family violence.
4. Add recommended cultural, specialist and gender-specific referrals to statewide support services to the Help Before Court best practice guide, such as the Women and Mentoring program (WAM).
5. Add referral details for support services to communications with help seekers, e.g. emails/SMS/webpages.
6. Add background on gendered communication preferences and considerations to Help Before Court best practice guide.
7. Educate and encourage staff to adhere to best contact times if nominated, including adding a note to the Help Before Court best practice guide and intake team position document.
8. Consider which materials to translate (possibly an email to be sent out to people who indicate they require an interpreter).
9. Include a question on the intake tool about whether the help seeker speaks another language and requires an interpreter.
10. Include the Aboriginal and Torres Strait Islander referral pathways in the Help Before Court best practice guide.
11. Educate staff around the importance of specialist referrals for Aboriginal and Torres Strait Islander services.

### Child safety and wellbeing policy

#### Recommendation

Consult with Family, Youth and Children’s Law and Criminal Law to determine if they have considered the issues and opportunities raised through the GIA process for this policy, such as:

* asking children more about their views of our services and adjusting them to make them more accessible and child friendly
* collecting demographic data and better survey data from child clients and analysing it so we can adjust our services to meet their needs.

### Victims charter policy

#### Recommendation

Provide generalised data and information about how crime affects gender differently, to highlight the different experience of crime. Education examples should be included in the Victims Charter module and link these examples back to the general data.

## Gender equality indicator progress

We have made some progress across the seven-gender equality indicators.

### Gender composition of all levels of the workforce

In 2023, women made up 75 per cent of the workforce, a slight decrease from 76 per cent in 2021.

Gender-diverse staff accounted for less than 1 per cent of the workforce, highlighting the need to improve data collection in this area, which has been a focus through GEAP actions:

* 7.1 – Explore ways to improve data collection on gender diversity composition in the payroll system.
* 7.2 – Encourage staff to update personal information in our payroll system.

Since 2021, organisational restructures and the creation of new roles, including executive-level positions, have occurred. Women hold 88 per cent of part-time roles, with more women in part-time positions than men across all levels.

In 2023, workforce data analysis shifted from a hierarchy-based approach to our Enterprise Agreement classifications, aligning more closely with internal communication and pay gap analysis. However, this change complicates direct comparisons with 2021 data.

### Gender composition of governing bodies

As of 30 June 2023, our governing body was gender balanced, with 50 per cent men and 50 per cent women. This is an improvement from 2021 when the split was 57 per cent men and 43 per cent women.

However, this was in part due to a vacancy on the Board, meaning there were only six positions filled at the time of reporting in 2023.

### Equal remuneration for work of equal or comparable value, across all levels of the workforce

In 2021, our mean base salary gap and mean total remuneration pay gap for women were both 13.2 per cent. In 2023, our mean base salary pay gap was 10.5 per cent for women and 15 per cent for gender diverse staff.

In 2023 the mean total remuneration pay gap for women is 10.8 per cent which has also improved since 2021. The mean total remuneration pay gap for gender diverse staff is 26.5 per cent, noting there are very few staff in this cohort.

We undertake an annual gender pay gap analysis and communicate information about the gap at different classification levels with staff in conjunction with International Women’s Day.

We continue to work to address the gender pay gaps identified at each classification level and analyse the drivers. We note that at some classification levels the gender pay gap is in favour of women.

Our overall gender pay gap for women is now in line with the Victorian Public Service (VPS) gender pay gap, as per our commitment in GEAP action 1.2 – Gender pay gap data is reported to the Board annually.

### Sexual Harassment in the workplace

We have implemented all the Victorian Equal Opportunity Human Rights Centre (VEOHRC) recommendations.

Our Speak Up reporting tool is now in place, where complainants can choose to remain anonymous. We have also developed and a standalone Prevention of sexual harassment policy.

Reporting options for people making a complaint have also been updated to enable the collection of demographic data in line with GEAP actions:

* 4.1 – Implementation of the recommendations from the 2021 Victorian Equal Opportunity and Human Rights Commission (VEOHRC) review of our sexual harassment policy and processes
* 4.2 – Implement a new model of reporting sexual harassment, bullying and discrimination (including anonymous reporting options, and questions in the staff gender, diversity and inclusion survey), supported by updating our respectful workplace behaviours training.

In 2021 we reported seven sexual harassment complaints and in 2023 this had increased to eight complaints. In the 2023 People matter survey, 7 per cent of women and 2 per cent of men reported experiencing sexual harassment behaviours at work.

This indicates that sexual harassment is still being underreported in terms of formal complaints, and in the short-term an increase in complaints would signify increasing trust in the reporting system.

To address these issues and reinforce our commitment to gender equality, we have implemented mandatory respectful workplace behaviour training for all staff, as part of our efforts to educate and address inappropriate behaviour.

### Recruitment and promotion practices in the workplace

Many of our GEAP actions have focused on recruiting diverse women and improving career development and promotion opportunities for diverse women. These include:

* 5.2 – Strengthen attraction and branding strategies to increase applicants who are women and women from diverse backgrounds.
* 5.3 – Understanding and addressing barriers to employment of women, trans and gender diverse staff and women of diverse backgrounds.
* 5.6 – Provide increased opportunities for leadership training and development to support career pathways and promotion of women, trans and gender diverse staff and women of diverse backgrounds.

Selection for the Leadership and mentoring program has had a focus on ensuring the participant group is diverse. The 2023 program commenced with a diverse group of staff including culturally diverse staff, staff with disability, First Nations staff and gender diverse staff.

In 2021 women made up:

* 74 per cent of recruits
* 87 per cent of promotions
* 81 per cent higher duties
* 83 per cent secondments
* 78 per cent career development
* 78 per cent of exits.

In 2023 there has been a slight decrease for women across all categories except recruitment, with women making up:

* 77 per cent of recruits
* 81 per cent of promotions
* 76 per cent higher duties
* 73 per cent secondment
* 75 per cent career development
* 76 per cent of exits.

However, the 2023 rates remain aligned with the overall gender composition of our workforce.

### Availability and use of terms, conditions and practices relating to family violence leave, flexible working arrangements and working arrangements supporting employees with family or caring responsibilities

We have put in place several policies that support flexible working arrangements including:

* flexible work guidance
* workplace adjustments policy
* individual flexibility arrangements to vary the ordinary hours of work
* part-time employment
* purchased leave
* flexitime (including access to excessive flexi leave)
* parental leave including primary, secondary paid and unpaid leave
* surrogacy leave
* foster and kinship care leave
* family violence leave.

In 2021, 38 per cent of staff were on a formal flexible working arrangement, compared to 35 per cent of staff in 2023. There has been minimal change in the number of women using flexible arrangements.

Of staff who took parental leave in 2023, 3 per cent were men, an increase from 0 per cent in 2021.

The number of staff accessing family violence leave has increased by one person between 2021 and 2023. While many more staff have taken carer's leave in 2023 this may also be influenced by the covid lockdowns that were in place in 2021.

### Gendered segregation within the workplace

In 2021, with women making up 76 per cent of the overall workforce, women were overrepresented as clerical and administrative workers (88 per cent) and underrepresented in manager roles (65 per cent).

In 2023, with women making up 75 per cent of the overall workforce, women still make up 85 per cent of clerical and administrative workers but only 60 per cent of managers.

For professionals the split is 70 per cent women compared to 30 per cent men. This has remained stable since 2021. Insufficient data is available to report on gender diverse staff.

We are actively working to address the underrepresentation of women in management positions by increasing opportunities for leadership training and development. This includes supporting career pathways and promotion for women, transgender, and gender-diverse staff, as well as women from culturally diverse backgrounds.

Our approach to recruitment also reflects this commitment, aligned with GEAP actions:

* 2.1 – Provide career opportunities to support the appointment/promotion of women, trans and gender diverse women and women of diverse backgrounds to senior management and executive roles.
* 5.6 – Provide increased opportunities for leadership training and development to support career pathways and promotion of women, trans and gender diverse staff and women of diverse backgrounds.

## More information

Read our [Gender Equality Action Plan](https://www.legalaid.vic.gov.au/gender-equality-action-plan).

For more information, contact our Diversity, Equity and Inclusion team.